

UTILITY PATENT APPLICATION TRANSMITTAL

(Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
1242.017Total Pages in this Submission
4**TO THE ASSISTANT COMMISSIONER FOR PATENTS**Box Patent Application
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

OBTURATOR AND CANNULA FOR A TROCAR ADAPTED FOR EASE OF INSERTION AND REMOVAL

and invented by:

WING, Daniel M.
SCHEUERMANN, Stephen J. and
LAUN, Deborah A.If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Enclosed are:

Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 42 pages and including the following:
 - a. ☒ Descriptive Title of the Invention
 - b. ☐ Cross References to Related Applications (if applicable)
 - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
 - d. ☐ Reference to Microfiche Appendix (if applicable)
 - e. ☒ Background of the Invention
 - f. ☒ Brief Summary of the Invention
 - g. ☒ Brief Description of the Drawings (if drawings filed)
 - h. ☒ Detailed Description
 - i. ☒ Claim(s) as Classified Below
 - j. ☒ Abstract of the Disclosure

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Total Pages in this Submission
4

Application Elements (Continued)

3. ☒ Drawing(s) *(when necessary as prescribed by 35 USC 113)*
a. ☒ Formal b. ☐ Informal Number of Sheets 14
4. ☒ Oath or Declaration
a. ☐ Newly executed *(original or copy)* ☒ Unexecuted
b. ☐ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
c. ☒ With Power of Attorney ☐ Without Power of Attorney
d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference *(usable if Box 4b is checked)*
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied
under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby
incorporated by reference therein.
6. ☐ Computer Program in Microfiche
7. ☐ Genetic Sequence Submission *(if applicable, all must be included)*
a. ☐ Paper Copy
b. ☐ Computer Readable Copy
c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

8. ☒ Assignment Papers *(cover sheet & documents)* (Copy - unsigned)
9. ☐ 37 CFR 3.73(b) Statement *(when there is an assignee)*
10. ☐ English Translation Document *(if applicable)*
11. ☒ Information Disclosure Statement/PTO-1449 ☒ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing
☐ First Class ☒ Express Mail *(Specify Label No.):* EL 902207909 US

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1242.017

Total Pages in this Submission
4

Accompanying Application Parts (Continued)

15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. ☒ Small Entity Statement(s) - Specify Number of Statements Submitted: 1
17. ☐ Additional Enclosures *(please identify below)*:

Patent Bibliographic Data Sheet

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

18. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

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Total Pages in this Submission
4


Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	58	- 20 =	38	x \$9.00	\$342.00
Indep. Claims	9	- 3 =	6	x \$40.00	\$240.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$355.00
OTHER FEE (specify purpose) _____					
TOTAL FILING FEE					\$937.00

- ☒ A check in the amount of \$937.00 to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 08-1935 as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: August 31, 2001


Signature
John Pietrangelo, Reg. No.: 39,331
Patent Agent
Customer No.:



23405

PATENT TRADEMARK OFFICE

CC:

1. *Introduction*
 2. *Methodology*
 3. *Results*
 4. *Discussion*
 5. *Conclusion*
 6. *References*
 7. *Appendix*
 8. *Notes*
 9. *Tables*
 10. *Figures*
 11. *Supplementary Materials*
 12. *Correspondence*
 13. *Conflict of Interest*
 14. *Acknowledgments*
 15. *References*
 16. *Appendix*
 17. *Notes*
 18. *Tables*
 19. *Figures*
 20. *Supplementary Materials*
 21. *Correspondence*
 22. *Conflict of Interest*
 23. *Acknowledgments*
 24. *References*
 25. *Appendix*
 26. *Notes*
 27. *Tables*
 28. *Figures*
 29. *Supplementary Materials*
 30. *Correspondence*
 31. *Conflict of Interest*
 32. *Acknowledgments*
 33. *References*
 34. *Appendix*
 35. *Notes*
 36. *Tables*
 37. *Figures*
 38. *Supplementary Materials*
 39. *Correspondence*
 40. *Conflict of Interest*
 41. *Acknowledgments*
 42. *References*
 43. *Appendix*
 44. *Notes*
 45. *Tables*
 46. *Figures*
 47. *Supplementary Materials*
 48. *Correspondence*
 49. *Conflict of Interest*
 50. *Acknowledgments*
 51. *References*
 52. *Appendix*
 53. *Notes*
 54. *Tables*
 55. *Figures*
 56. *Supplementary Materials*
 57. *Correspondence*
 58. *Conflict of Interest*
 59. *Acknowledgments*
 60. *References*
 61. *Appendix*
 62. *Notes*
 63. *Tables*
 64. *Figures*
 65. *Supplementary Materials*
 66. *Correspondence*
 67. *Conflict of Interest*
 68. *Acknowledgments*
 69. *References*
 70. *Appendix*
 71. *Notes*
 72. *Tables*
 73. *Figures*
 74. *Supplementary Materials*
 75. *Correspondence*
 76. *Conflict of Interest*
 77. *Acknowledgments*
 78. *References*
 79. *Appendix*
 80. *Notes*
 81. *Tables*
 82. *Figures*
 83. *Supplementary Materials*
 84. *Correspondence*
 85. *Conflict of Interest*
 86. *Acknowledgments*
 87. *References*
 88. *Appendix*
 89. *Notes*
 90. *Tables*
 91. *Figures*
 92. *Supplementary Materials*
 93. *Correspondence*
 94. *Conflict of Interest*
 95. *Acknowledgments*
 96. *References*
 97. *Appendix*
 98. *Notes*
 99. *Tables*
 100. *Figures*
 101. *Supplementary Materials*
 102. *Correspondence*
 103. *Conflict of Interest*
 104. *Acknowledgments*
 105. *References*
 106. *Appendix*
 107. *Notes*
 108. *Tables*
 109. *Figures*
 110. *Supplementary Materials*
 111. *Correspondence*
 112. *Conflict of Interest*
 113. *Acknowledgments*
 114. *References*
 115. *Appendix*
 116. *Notes*
 117. *Tables*
 118. *Figures*
 119. *Supplementary Materials*
 120. *Correspondence*
 121. *Conflict of Interest*
 122. *Acknowledgments*
 123. *References*
 124. *Appendix*
 125. *Notes*
 126. *Tables*
 127. *Figures*
 128. *Supplementary Materials*
 129. *Correspondence*
 130. *Conflict of Interest*
 131. *Acknowledgments*
 132. *References*
 133. *Appendix*
 134. *Notes*
 135. *Tables*
 136. *Figures*
 137. *Supplementary Materials*
 138. *Correspondence*
 139. *Conflict of Interest*
 140. *Acknowledgments*
 141. *References*
 142. *Appendix*
 143. *Notes*
 144. *Tables*
 145. *Figures*
 146. *Supplementary Materials*
 147. *Correspondence*
 148. *Conflict of Interest*
 149. *Acknowledgments*
 150. *References*
 151. *Appendix*
 152. *Notes*
 153. *Tables*
 154. *Figures*
 155. *Supplementary Materials*
 156. *Correspondence*
 157. *Conflict of Interest*
 158. *Acknowledgments*
 159. *References*
 160. *Appendix*
 161. *Notes*
 162. *Tables*
 163. *Figures*
 164. *Supplementary Materials*
 165. *Correspondence*
 166. *Conflict of Interest*
 167. *Acknowledgments*
 168. *References*
 169. *Appendix*
 170. *Notes*
 171. *Tables*
 172. *Figures*
 173. *Supplementary Materials*
 174. *Correspondence*
 175. *Conflict of Interest*
 176. *Acknowledgments*
 177. *References*
 178. *Appendix*
 179. *Notes*
 180. *Tables*
 181. *Figures*
 182. *Supplementary Materials*
 183. *Correspondence*
 184. *Conflict of Interest*
 185. *Acknowledgments*
 186. *References*
 187. *Appendix*
 188. *Notes*
 189. *Tables*
 190. *Figures*
 191. *Supplementary Materials*
 192. *Correspondence*
 193. *Conflict of Interest*
 194. *Acknowledgments*
 195. *References*
 196. *Appendix*
 197. *Notes*
 198. *Tables*
 199. *Figures*
 200. *Supplementary Materials*
 201. *Correspondence*
 202. *Conflict of Interest*
 203. *Acknowledgments*
 204. *References*
 205. *Appendix*
 206. *Notes*
 207. *Tables*
 208. *Figures*
 209. *Supplementary Materials*
 210. *Correspondence*
 211. *Conflict of Interest*
 212. *Acknowledgments*
 213. *References*
 214. *Appendix*
 215. *Notes*
 216. *Tables*
 217. *Figures*
 218. *Supplementary Materials*
 219. *Correspondence*
 220. *Conflict of Interest*
 221. *Acknowledgments*
 222. *References*
 223. *Appendix*
 224. *Notes*
 225. *Tables*
 226. *Figures*
 227. *Supplementary Materials*
 228. *Correspondence*
 229. *Conflict of Interest*
 230. *Acknowledgments*
 231. *References*
 232. *Appendix*
 233. *Notes*
 234. *Tables*
 235. *Figures*
 236. *Supplementary Materials*
 237. *Correspondence*
 238. *Conflict of Interest*
 239. *Acknowledgments*
 240. *References*
 241. *Appendix*
 242. *Notes*
 243. *Tables*
 244. *Figures*
 245. *Supplementary Materials*
 246. *Correspondence*

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I hereby certify that this paper is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and addressed to Assistant Commissioner for Patents, BOX PATENT APPLICATION, Washington, D.C. 20231

Enclosed:

- * Utility Patent Application Transmittal; (4 pgs.),(in duplicate);
- * U.S. Patent Application (Specification 42 pgs., claims 11 pgs., and Abstract, 1 pg.;
- * Sheets of Formal Drawings (14 sheets);
- * Copy of Declaration and Power of Attorney for Patent Application, (Unsigned) (4 pgs.) ;
- * Copy of Assignment (Unsigned) (3 pgs.);
- * Assertion of Small Entity Status under 37 C.F.R.. § 1.27(c)(2);
- * Information Disclosure Statement (1 pg);
- * Information Disclosure Citation; (3 pgs) and 33 references;
- * Check in the amount of \$937.00 for Filing Fee;
- * Application Data Sheet (2 pgs.);
- * Certificate of Express Mail (Label No.EL902207909US; and
- * One (1) postcard.

(Typed or printed name of person mailing paper or fee)

Christine Adkins

(Signature of person mailing paper or fee)